



PUBLIC NOTICE

Federal Communications Commission
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Washington, D.C. 20554

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DA 08-1548
Released: June 30, 2008

PLEADING CYCLE ESTABLISHED FOR WINDSTREAM KENTUCKY EAST, LLC PETITION FOR PRICING FLEXIBILITY PURSUANT TO SECTION 69.727 OF THE COMMISSION'S RULES

WCB/Pricing No. 08-17

COMMENTS: July 15, 2008

REPLY COMMENTS: July 25, 2008

On June 13, 2008, Windstream Kentucky East, LLC (Windstream) filed a petition for pricing flexibility in the Lexington, Kentucky and Ashland, Kentucky Metropolitan Statistical Areas (MSAs) pursuant to sections 1.774 and 69.701 *et seq.* of the Commission's rules. 47 C.F.R. §§ 1.774 and 69.701 *et seq.*¹ Specifically, Windstream seeks Phase I relief for dedicated transport and special access services, other than channel terminations between its end offices and end user "customer premises," in the Ashland, Kentucky MSA. Windstream also requests Phase II relief for dedicated transport and special access services, other than channel terminations between its end offices and end user "customer premises," in the Lexington, Kentucky MSA. Finally, Windstream asks for Phase I relief for channel terminations between its end offices and end user "customer premises" in the Lexington, Kentucky MSA.²

The petition is available for review through the Commission's Electronic Tariff Filing System (ETFS). Comments or oppositions may be filed no later than **July 15, 2008**. Interested parties are strongly encouraged to file comments electronically through ETFS, although they are not required to do so. 47 C.F.R. § 1.774(e)(2)(i). The ETFS provides instructions for filing both public and confidential versions of comments, and, if interested parties require additional assistance, they may call the ETFS Information Line at (202) 418-7700. Parties electing to file comments through a method other than ETFS must file such comments in accordance with section 1.774(e)(2)(ii) of the Commission's rules. 47 C.F.R. § 1.774(e)(2)(ii). In addition, Windstream may file a reply no later than **July 25, 2008**, 10 days after the deadline for comments or oppositions. 47 C.F.R. § 1.774(d). Any such reply must be filed through ETFS. 47 C.F.R. 1.774(e)(3). For additional information about the filing and service of comments and replies, see sections 1.774(c)-(e) of the Commission's rules. 47 C.F.R. §§ 1.774(c)-(e).

Paper filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail). The Commission's contractor, Natek, Inc., will receive hand-delivered or

¹ See Petition of Windstream Kentucky East, LLC for Pricing Flexibility as Specified in Section 69.727 of the Commission's Rules for the Lexington, Kentucky MSA and Ashland, Kentucky, MSA (filed June 13, 2008) (Petition) at 1.

² *Id.*

messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002.

- The filing hours at this location are 8:00 a.m. to 7:00 p.m.
- All hand deliveries must be held together with rubber bands or fasteners.
- Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, SW, Washington, D.C. 20554.
- All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

As specified in section 1.774(e)(2)(ii), if parties file an opposition or comments other than through ETFS, they should also file one copy with the Commission's copy contractor, Best Copy and Printing, Inc., Portals II, 445 12th Street, S.W., Washington, D.C. 20554, telephone (202) 488-5300, facsimile (202) 488-5563, e-mail fcc@bcpiweb.com, or via its website at <http://www.bcpiweb.com>. Documents filed in this proceeding will be available for public inspection during regular business hours in the Commission's Reference Information Center, 445 12th Street, S.W., Washington, D.C. 20554, and will be placed on the Commission's Internet site.

Accessible formats (computer diskettes, large print, audio recording and Braille) are available to persons with disabilities by contacting the Consumer & Governmental Affairs Bureau, at (202) 418-0531, TTY (202) 418-7365, or at fcc504@fcc.gov.

This matter shall be treated as a "permit-but-disclose" proceeding in accordance with the Commission's *ex parte* rules. 47 C.F.R. §§ 1.1200, 1.1206. Persons making oral *ex parte* presentations are reminded that memoranda summarizing the presentations must contain summaries of the substance of the presentations and not merely a listing of the subjects discussed. More than a one- or two-sentence description of the views and arguments presented generally is required. 47 C.F.R. § 1.1206(b). Other rules pertaining to oral and written *ex parte* presentations in permit-but-disclose proceedings are set forth in section 1.1206(b) of the Commission's rules. 47 C.F.R. § 1.1206(b).

For further information, contact Amy Goodman, Pricing Policy Division, Wireline Competition Bureau, (202) 418-1549.